

**MARKED AGENDA
ZONING REVIEW BOARD
AUGUST 12, 2010
6:00 P.M., CITY HALL, COUNCIL CHAMBERS, SECOND FLOOR**

NEW CASES:

1. **Z-10-13**-An Ordinance to rezone from the C-4 (Central Area Commercial Residential) District to the C-3 (Commercial Residential) District, property located at **333 HIGHLAND AVENUE, N.E.** fronting approximately 237.99 feet on the west side of Hilliard Street, approximately 69 feet on the south side of North Highland Avenue and bordering Interstate 75/85 Connector with approximately 214.44 feet. Depth: varies. Area: approximately 0.554 acres. Land Lot 46. 14th District, Fulton County, Georgia.
OWNER: 333 HIGHLAND AVENUE ASSOCIATES, LLC.
APPLICANT: 333 HIGHLAND AVENUE ASSOCIATES, LLC
NPU-M COUNCIL DISTRICT 2
NPU RECOMMENDATION: NO ACTION TAKEN
STAFF RECOMMENDATION: FILE
ZRB RECOMMENDATION: FILE

2. **U-10-13**-An Ordinance granting a Special Use Permit for a **SALVAGE YARD** pursuant to Section 16-17.005 (1)(c) property located at **1134 SYLVAN ROAD, S.W.** fronting approximately 85 feet on the east side of Sylvan Road and approximately 61 feet north of the intersection of Sylvan Road and Avon Road. Depth: varies. Area: approximately 2.032 acres. Land Lot 106, 14th District Fulton County, Georgia.
OWNER: MERCY L. MATTHEWS
APPLICANT: MERCY L. MATTHEWS
NPU-X COUNCIL DISTRICT 12
NPU RECOMMENDATION: DENIAL
STAFF RECOMMENDATION: APPROVAL CONDITIONAL
ZRB RECOMMENDATION: APPROVAL CONDITIONAL

3. **U-10-20**-An Ordinance granting a Special Use Permit for a **CHURCH** pursuant to Section 16-06.005 (1)(c) property located at **3267 AND 3309 JONESBORO ROAD, S.E.,** fronting approximately 508 feet on the west side of Jonesboro Road beginning 132.60 feet from the intersection of Jonesboro Road and Macedonia Road. Depth: varies. Area: approximately 3.29 acres. Land Lots 34 and 35, 14th District Fulton County, Georgia.
OWNER: WILLIE W. WILLIAMS
APPLICANT: WILLIE W. WILLIAMS
NPU-Z COUNCIL DISTRICT 12
NPU RECOMMENDATION: DEFERRAL
STAFF RECOMMENDATION: 60-DAY DEFERRAL-OCTOBER 2010
ZRB RECOMMENDATION: 60-DAY DEFERRAL-OCTOBER 2010

4. **U-10-21**-An Ordinance granting a Special Use Permit for a **DAY CARE CENTER** pursuant to Section 16-05.005 (1)(b) property located at **4190 TELL ROAD, S.W.**, fronting approximately 27.5 feet on the south side of Tell Road. Depth: varies. Area: approximately 5.3 acres. Land Lot 34, 14th District Fulton County, Georgia.
OWNER: DAVID L. DUMAS
APPLICANT: TIFFANY DUMAS
NPU-P COUNCIL DISTRICT 11
NPU RECOMMENDATION: APPROVAL CONDITIONAL
STAFF RECOMMENDATION: APPROVAL CONDITIONAL
ZRB RECOMMENDATION: APPROVAL CONDITIONAL
5. **U-10-22**-An Ordinance granting a Special Use Permit for an **EATING AND DRINKING ESTABLISHMENT** pursuant to Section 16-18P.007 (1)(b) property located at **1075 PEACHTREE STREET, N.E.** fronting approximately 443 feet on the east side of Peachtree Street beginning at the intersection of Peachtree Street and 12th Street. Depth: varies. Area: approximately 2.95 acres. Land Lot 106, 17th District, Fulton County, Georgia.
OWNER: THE DEVELOPMENT AUTHORITY OF FULTON COUNTY
APPLICANT: 1075 PEACHTREE, LLC
NPU-E COUNCIL DISTRICT 6
NPU RECOMMENDATION: APPROVAL
STAFF RECOMMENDATION: APPROVAL CONDITIONAL
ZRB RECOMMENDATION: APPROVAL CONDITIONAL
6. **U-10-23**-An Ordinance granting a Special Use Permit for a **CHURCH** pursuant to Section 16-18K.004 (3)(a) property located at **105 JOSEPH E. LOWERY BOULEVARD, S.W.** fronting approximately 168 feet on the west side of Joseph E. Lowery at the intersection of Joseph E. Lowery Boulevard and Palmetto Avenue. Depth: varies. Area: approximately 0.7217 acres. Land Lot 116, 14th District, Fulton County, Georgia.
OWNER: REFUGE TEMPLE
APPLICANT: KARIM SHAHID
NPU-T COUNCIL DISTRICT 4
NPU RECOMMENDATION: NO RECOMMENDATION PROVIDED
STAFF RECOMMENDATION: APPROVAL CONDITIONAL
ZRB RECOMMENDATION: APPROVAL CONDITIONAL

DEFERRED CASES:

7. **Z-10-07**-An Ordinance to rezone property from the R-5 (Two Family) Residential District to the PD-H (Planned Development-Housing) District property located at **943 CHEROKEE AVENUE, S.E.**, fronting approximately 97 feet on the west side of Cherokee Avenue at the southwest corner of Kendrick Avenue. Depth: approximately 137 feet. Area: approximately 0.28 acres. Land Lot 42. 14th District, Fulton County, Georgia.
OWNER: BRETT AND CHARLES SMITH AND PAUL SAROS
APPLICANT: ERIC J. KRONBERG
NPU-W COUNCIL DISTRICT 1
NPU RECOMMENDATION: APPROVAL
STAFF RECOMMENDATION: DENIAL
ZRB RECOMMENDATION: APPROVAL CONDITIONAL
8. **Z-10-09**-An Ordinance to rezone property from the R-4 (Single Family) Residential District to the PD-H (Planned Development-Housing) District property located at **972 BERNE STREET and 610 and 614 VERNON AVENUE, S.E.**, fronting approximately 50 feet on the north side of Berne Street beginning approximately 223 feet from the northeast corner of Vernon Avenue. Depth: approximately 349 feet. Area: approximately 1.68 acres. Land Lot 11. 14th District, Fulton County, Georgia.
OWNER: BEULAH HEIGHTS UNIVERSITY
APPLICANT: MICHAEL A. HAPONSKI
NPU-W COUNCIL DISTRICT 1
NPU RECOMMENDATION: APPROVAL CONDITIONAL
STAFF RECOMMENDATION: 60-DAY DEFERRAL-OCTOBER 2010
ZRB RECOMMENDATION: 60-DAY DEFERRAL-OCTOBER 2010
9. **Z-10-11**-An Ordinance to rezone from the C-2 (Commercial Service) district to the MRC-2 (Mixed Residential Commercial) district, property located at **300 and 306 PONCE DE LEON AVENUE, N.E.**, fronting approximately 100. 35 feet on the north side of Ponce de Leon Avenue at the south east intersection of Argonne Avenue and Ponce de Leon Avenue. Depth: varies. Area: approximately 0.427 acres. Land Lot 48. 14th District, Fulton County, Georgia.
OWNER: THE BOOTERY INC, PROFIT SHARING, ET.AL.
APPLICANT: ROBERT M. CAIN
NPU-E COUNCIL DISTRICT 6
NPU RECOMMENDATION: APPROVAL
STAFF RECOMMENDATION: 30-DAY DEFERRAL-SEPTEMBER 2010
ZRB RECOMMENDATION: 30-DAY DEFERRAL-SEPTEMBER 2010

10. **U-10-08**-An Ordinance granting a Special Use Permit for a Daycare Center pursuant to Section 16-06.005 (1) (b), property located at **1812 DONALD LEE HOLLOWELL PARKWAY, N.W.**, fronting approximately 117.97 feet on the south side of Donald Lee Hollowell Parkway at the southwest intersection of Donald Lee Hollowell Parkway and South Evelyn Place. Depth: approximately 172 feet. Area: approximately 0.424 acres. Land Lot 176, 14th District Fulton County, Georgia.
OWNER: BETTYE ARRINGTON
APPLICANT: BETTYE ARRINGTON
NPU-J COUNCIL DISTRICT 9
NPU RECOMMENDATION: DENIAL
STAFF RECOMMENDATION: DENIAL
ZRB RECOMMENDATION: DENIAL
11. **U-10-15**-An Ordinance granting a Special Use Permit for a **DAYCARE CENTER** pursuant to Section 16-16-06.005 (1)(b) property located at **1617 ATHENS AVENUE, S.E.** fronting approximately 71 feet on the west side of Athens Avenue and approximately 80 feet northwest of the intersection of Athens Avenue and Claire Drive. Depth: approximately 130 feet. Area: approximately 0.211891 acre. Land Lot 104, 14th District Fulton County, Georgia.
OWNER: LAVONNE T. TURNER
APPLICANT: EUGENIA JOHNSON
NPU-X COUNCIL DISTRICT 12
NPU RECOMMENDATION: NO ACTION TAKEN
STAFF RECOMMENDATION: 30-DAY DEFERRAL-SEPTEMBER 2010
ZRB RECOMMENDATION: 30-DAY DEFERRAL-SEPTEMBER 2010
12. **U-10-18**-An Ordinance granting a Special Use Permit for a **DAYCARE CENTER** pursuant to Section 16-16-06.005 (1)(b) property located at **3297 FAIRBURN ROAD, S.W.**, fronting approximately 75 feet on the northwesterly side of Fairburn Road and approximately 940 feet east of the Seaboard Coast Railroad Line. Depth: varies. Area: approximately 0.472. Land Lot 35, 14th District Fulton County, Georgia.
OWNER: ARLETHEA MARIE SCRIVENS-AGHAJI
APPLICANT: ARLETHEA MARIE SCRIVENS-AGHAJI
NPU-P COUNCIL DISTRICT 11
NPU RECOMMENDATION: APPROVAL CONDITIONAL
STAFF RECOMMENDATION: APPROVAL CONDITIONAL
ZRB RECOMMENDATION: APPROVAL CONDITIONAL

END OF AGENDA